

(As of February 20, 2001)

Section 3-202. Introduction, Consideration and Passage of Ordinances and Resolutions --

1. Every proposed ordinance shall be initiated as a bill and shall be passed only after three readings on separate days. The vote on final passage shall be taken by ayes and noes and entered in the journal. Full readings of bills may be required by one-third vote of the entire membership of the council.

2. Every ordinance of the council shall embrace but one subject, which shall be expressed in its title. If an ordinance embraces any subject not expressed in its title, only that subject shall be void.¹¹

3. No bill shall be so amended as to change its original purpose. On the demand of at least four members, any bill shall, after amendment, be laid over for one week before its final reading. Every bill, as amended, shall be in writing before final passage.

4. When a bill fails to pass on final reading and a motion is made to reconsider, the vote on such motion shall not be acted upon before the expiration of twenty-four hours.

5. Ordinances shall take effect on the date specified therein or, in the absence of such specification, upon approval thereof by the mayor.

6. Except as otherwise provided in this charter, resolutions may be adopted on one reading by the affirmative vote of a majority of the entire membership of the council taken by ayes and noes and entered into the journal. The reading shall be in full, except by unanimous consent of all councilmembers present, in which case the reading may be by title only.

7. Bills embracing (a) the fixing of special assessments for the cost of improvements, (b) the appropriation of public funds or the authorization of the issuance of general obligation bonds or (c) the imposition of a duty or penalty on any person shall pass second reading by a vote taken by ayes and noes, and digests of such bills shall be advertised once in a daily newspaper of general circulation in the city and may be advertised, as deemed helpful, in other newspapers, with the ayes and noes, at least three days before final reading by the council. Not less than three copies of such bills shall be filed for use and examination by the public in the office of the city clerk at least three days prior to the final reading thereof.

8. All ordinances shall be promptly advertised once by title only in a daily newspaper of general circulation in the city and may be advertised, as deemed helpful, in other newspapers, with the ayes and noes, after enactment. Unless otherwise provided, resolutions need not be advertised either before or after adoption.

9. Resolutions authorizing proceedings in eminent domain shall not be acted upon on the date of introduction, but shall be laid over for at least one week before adoption. Such resolutions shall be advertised once in a daily newspaper of general circulation and may be advertised, as deemed helpful, in other newspapers at least three days before adoption by the council. Not less than three copies of such resolutions shall be filed for use and examination by the public in the office of the city clerk at least three days prior to the adoption thereof. Upon adoption, every such resolution shall be presented to the mayor, who may approve or disapprove it pursuant to applicable provisions governing the approval or disapproval of bills.

¹¹It is sufficient if the title of an ordinance fairly indicates to the ordinary mind the general subject of the act, is comprehensive enough to reasonably cover all of its provisions, and is not calculated to mislead. Schwab v. Ariyoshi, 58 Haw. 25, 564 P.2d 135 (1977), citing Territory v. Dondero, 21 Haw. 19 (1912).

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10. Should the council find, by a two-thirds vote of its entire membership, the existence of any emergency due to a public calamity, it may waive all of the requirements of this section of the charter pertaining to procedure, except those relating to the number of votes required for passage and the recording of the vote in the journal. (*Reso. 83-357*)